

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

In Re: Christopher R. Bentley and Alicia A. Bentley	Case Number 12-12706-JMD Chapter 13
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**RESPONSE OF GOLDMAN SACHS MORTGAGE COMPANY TO
THE CHAPTER 13 TRUSTEE'S OBJECTION TO CLAIM NO. 5**

Now comes Goldman Sachs Mortgage Company ("Goldman Sachs") and files this response to the Trustee's Objection to Claim No. 5 [Document No. 64] filed in this case.

1. The Trustee has objected to the Proof of Claim (Claim No. 5) which was prepared and filed by Ocwen Loans Servicing, LLC ("Ocwen"), the servicer of the Mortgage, on behalf of Goldman Sachs on November 30, 2012.
2. The Trustee contends that the Proof of Claim filed fails to provide evidence that the Mortgage was properly recorded and perfected.
3. Annexed hereto as Exhibit A is a copy of the Mortgage executed by the Debtors, Christopher R. Bentley and Alicia A. Bentley, encumbering real estate known and numbered as *147 Old Turnpike Road, Salisbury, NH 03268* (the "Property"). The Mortgage was given by the Debtors in favor of Mortgage Electronic Registration Systems, Inc. acting solely as a nominee for Avelo Mortgage, L.L.C. d/b/a Senderra Funding (the "Mortgage"). The Mortgage is dated June 29, 2007 and bears evidence of its recordation at Merrimack County Registry of Deeds in Book 3002, Page 261 on July 9, 2007. This same information appears on the face page of the copy of the Mortgage filed with Claim No. 5 in the upper right hand corner.
4. Annexed hereto as Exhibit B is a copy of the Assignment of said Mortgage by Mortgage Electronic Registration Systems, Inc. to Goldman Sachs Mortgage Company dated February 24, 2010 and recorded at Merrimack County Registry of Deeds in Book 3181, Page 1948 (the "Assignment").
5. The Mortgage secures a promissory note given by Debtor, Christopher R. Bentley, to Avelo Mortgage, L.L.C. d/b/a Senderra Funding of even date and in the original principal amount of \$252,000.00 (the "Note"). A copy of the Note is annexed hereto and is marked Exhibit C.
6. Goldman Sachs submits that it has sufficiently documented that it is the owner of Claim No. 5 originally filed on November 30, 2012.

WHEREFORE, Goldman Sachs Mortgage Company respectfully requests that the Court:

- (a) Overrule the Trustee's Objection to Claim No. 5;
- (b) Issue an order allowing Claim No. 5 in its entirety as a secured claim; and/or
- (c) Grant such further relief as the Court deems just and proper.

DATED: August 8, 2013

Respectfully submitted,
Goldman Sachs Mortgage Company
By its attorney,

/s/ Marcus E. Pratt
Marcus E. Pratt, Esquire
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CERTIFICATE OF SERVICE

I, Marcus Pratt, Attorney for **Goldman Sachs Mortgage Company and/or its successors and assigns** hereby certify that on August 8, 2013 I electronically filed the foregoing *Response to Objection to Claim* with the United States Bankruptcy Court for the District of NH using the CM/ECF System. I served the forgoing documents on the following CM/ECF participants:

Office of the U.S. Trustee
Lawrence P. Sumski, Trustee
Sandra A. Kuhn, Esquire

I certify that I have mailed by first class mail, postage prepaid the documents electronically filed with the Court on the following non-CM/ECF participants:

Christopher R. Bentley
147 Old Turnpike Road
Salisbury, NH 03268

Tax Collector:
Town of Salisbury, NH
9 Old Coach Road, P.O. Box 214
Salisbury, NH 03268

Alicia A. Bentley
147 Old Turnpike Road
Salisbury, NH 03268

Christopher R. Bentley
P.O. Box 238
Salisbury, NH 03268

Alicia A. Bentley
P.O. Box 238
Salisbury, NH 03268

/s/ Marcus E. Pratt
Marcus E. Pratt, Esquire
NH Bar #21206, BNH #07275
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